

REMARKS

The Office Action mailed October 22, 2004, has been carefully reviewed and by this Amendment, Applicants have canceled claims 39 and 40, amended claims 25, 26, and 31-38, and added claims 41-46. Claims 25, 26, 31-38 and 41-46 are pending in the application. Claims 25, 26 and 41 are independent. With the foregoing amendments and the following remarks, Applicants present the application as being in condition for allowance.

As an initial matter, Applicants would like to thank Examiner Nguyen for her time and cordiality in conducting a telephone interview with Applicants' representative on January 28, 2005. During the interview, proposed changes to claims 25 and 26 were discussed, specifically the limiting of these two claims to specify that the user-environment information includes a specified operating system from among multiple possible operating systems. The Examiner indicated that, pending further consideration and search, amendment of claims 25 and 26 to include this limitation appeared to distinguish over the prior art.

Turning to the outstanding Office Action, the Examiner rejected claims 25, 26 and 35-38 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,260,111 to Craig et al. ("Craig"). Under 35 U.S.C. 103(a), the Examiner rejected claims 31, 32, 39 and 40 as being unpatentable over Craig in view of Windows NT 4 Workstation ("Win NT"), and rejected claims 33 and 34 as being unpatentable over Craig.

Applicants have herein amended claims 25 and 26 to affirmatively set forth that the user-environment information provided on the information storage medium includes a specified operating system from among multiple possible operating systems. This enables a user to select a desired operating system from a plurality of operating systems available in today's computer environment (see the specification on page 1, line 27 to page 2, line 8; page 7, lines 18-20; and page 9, lines 34-36). This ability to specify an operating

system provides the user with a level of control over computer operation at a far more fundamental and significant level than what is shown in the prior art.

Craig teaches a network power management system including an access card that may be used to specify power management preferences as well as screen saver mode enablement and timeout values (see column 3, line 45 through column 4, line 8). These operational characteristics are secondary to basic computer operation, however, being on the order of application software, and categorically different from the operating system selection included in the present invention. Nor is there anything in Craig to teach or suggest a user-adaptive variable-environment system in which the user can fundamentally alter the basic operation of a computer at the operating system level such as that claimed by the present invention.

Win NT is an operator's manual for how to customize Windows NT. Characteristics that may be changed by the user include the screen saver, background wallpaper, mouse settings, date and time settings, Start Menu choice, screen resolution, Taskbar layout, etc. All of these characteristics, like the screen saver and power management functions of Craig are secondary to the basic operation of the computer and categorically different from the operating system selection included in the present invention. The Start Menu choice mentioned by the Examiner (pages 134-135) does not afford the user with the ability to select an operating system, but instead is limited to adding programs to the start-up menu so that they will be easy to reach. Nor is there anything in Win NT to suggest an operating system choice as there would be no motivation to provide options to Windows NT in a Windows NT publication.

For at least the foregoing reasons, claims 25 and 26 are patentable over Craig, whether taken alone or in view of Win NT. New claim 41 is also in condition for allowance for the same reasons as claims 25 and 26, being directed to a user-adaptive variable-environment system including a computer provided with an operating environment and a user recognizing unit, and an information storage medium to be applied to the user recognizing unit. The information storage medium is capable of storing user-environment information

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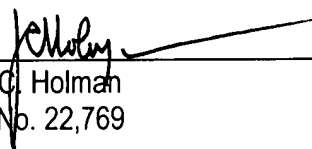
about an operating environment suitable for a user, the user-environment information including an operating system specified from among multiple possible operating systems. The user recognizing unit in turn is capable of reading the user-environment information stored in the information storage medium and of changing the operating environment of the computer so as to fit with the user-environment information including implementation of the specified operating system. As these features taken together are not shown or suggested by Craig in view of Win NT, and incorporate the subject matter discussed with the Examiner as potentially patentable over the cited art, Applicants respectfully request favorable consideration and allowance of new claim 41, as well as claims 25 and 26. Claims 31-38 and 42-46 are also in condition for allowance as claims properly dependent on an allowable base claim.

All outstanding matters having been addressed, and the claims having been amended to distinguish over the prior art as discussed with the Examiner during the interview on January 28, 2005, Applicants respectfully submit that this application should now be in condition for allowance. Should the Examiner have any questions or comments after reviewing this Amendment, the Examiner is cordially invited to telephone the undersigned attorneys so that the application may receive an early Notice of Allowance.

Respectfully submitted,

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